UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/327
24 March 1999

ORIGINAL: ENGLISH

LETTER DATED 24 MARCH 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith the decision of the Federal Government of the Republic of Yugoslavia to declare a state of war (see annex).

I would be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-08473 (E) 240399

/...

Annex

Yugoslav Government declares a state of war

Yugoslav Prime Minister Momir Bulatovic announced over Radio-TV Serbia and other television stations in the country on Wednesday night that, in keeping with its constitutional powers, the Federal Government had declared a state of war in the Federal Republic of Yugoslavia.

"NATO this evening carried out aggression on the Federal Republic of Yugoslavia. A sovereign country has been attacked contrary to all the principles and norms of international law.

"For that reason, the Federal Government has decided to turn the declared state of an immediate war threat into a state of war.

"The decision is effective immediately. The Government urges all citizens, members of the Army of Yugoslavia and the police, federal authorities and authorities of the member republics, enterprises and other subjects of defence to exercise their constitutional right and carry out their under law envisaged duties in the defence of the sovereignty and independence of the Federal Republic of Yugoslavia.

"The Federal Government, at the same time, urges all citizens calmly, responsibly and conscientiously to perform their duties at work and in that way make the best possible contribution to the defence of the Federal Republic of Yugoslavia. The Federal Government has requested of the Security Council of the United Nations to halt NATO aggression and condemn this act of vandalism.

"It is an unprecedented act in international relations, one which runs counter to the Charter of the United Nations itself, and as such threatens peace and stability in the region and on the European continent,"

the Yugoslav Prime Minister said.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/328
26 March 1999
ENGLISH
ORIGINAL: ENGLISH AND
RUSSIAN

Belarus, India and Russian Federation: draft resolution

The Security Council,

Recalling its primary responsibility under the United Nations Charter for the maintenance of international peace and security,

Deeply concerned that the North Atlantic Treaty Organization (NATO) used military force against the Federal Republic of Yugoslavia without the authorization by the Council,

Affirming that such unilateral use of force constitutes a flagrant violation of the United Nations Charter, in particular Articles 2 (4), 24 and 53,

Recognizing that the ban by NATO of civil flights in the airspace of a number of countries in the region constitutes a flagrant violation of the principle of complete and exclusive sovereignty of every State over the airspace above its territory in accordance with article 1 of the Chicago Convention on International Civil Aviation,

Recalling all its relevant resolutions and decisions, in particular the Statement of its President of 29 January 1999 (S/PRST/1999/5), in which it, inter alia, expressed the intention to be informed by members of the Contact Group about the progress reached in the negotiations on a political settlement of the situation in Kosovo, Federal Republic of Yugoslavia, and awaiting such a report,

Reaffirming its commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Determining that the use of force by NATO against the Federal Republic of Yugoslavia constitutes a threat to international peace and security,

Acting under Chapters VII and VIII of the Charter,

1. Demands an immediate cessation of the use of force against the Federal Republic of Yugoslavia and urgent resumption of negotiations;

2. Decides to remain actively seized of the matter.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/329
25 March 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I regret to inform you once again of massacres perpetrated, only a few days ago, by the Rwandan, Burundian and Ugandan aggressors against Congolese civilians in the occupied territory in the eastern part of the Democratic Republic of the Congo.

The Government of the Democratic Republic of the Congo wishes to inform you that more than 250 persons, mostly young people, the elderly and women, have been murdered by the Rwandan, Burundian and Ugandan aggressors during this month, although it is unable to give the exact dates, in the villages of Burhinyi and Ngweshe in South Kivu, which is under occupation.

During these massacres, several houses were burnt down by Rwandan soldiers who, by way of retaliation, fired on sight without warning.

The Government of the Democratic Republic of the Congo also condemns other massacres perpetrated on 25 March 1999 in the village of Magunga, not far from the town of Uvira, which has been occupied by aggressor troops. Once again, 100 Congolese civilians, mostly old people, women and children, were murdered by the Rwandan, Burundian and Ugandan aggressors.

The Government of the Democratic Republic of the Congo notes that, since the beginning of the war of aggression, several massacres have been committed with impunity by the aggressors. This is an obvious and serious violation of the relevant provisions of the four 1949 Geneva Conventions and the 1977 Additional Protocols to those Conventions. The Government of the Democratic Republic of the Congo reiterates its call for an investigation into all these violations of international humanitarian law with a view to prosecuting the guilty parties.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) André Mwamba KAPANGA
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/330
25 March 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

(24 September 1998-23 March 1999)

I. INTRODUCTION

1. The present report provides an account of developments and activities in respect of the mandate entrusted to the United Nations Iraq-Kuwait Observation Mission (UNIKOM), in accordance with Security Council resolutions 687 (1991) of 3 April 1991, 689 (1991) of 9 April 1999 and 806 (1993) of 5 February 1993. It covers the period from 24 September 1998 to 23 March 1999.

II. DEVELOPMENTS IN THE DEMILITARIZED ZONE

2. The situation in the demilitarized zone remained generally calm. However, the air attacks against Iraqi targets by the United States of America and the United Kingdom of Great Britain and Northern Ireland in December and the subsequent skirmishes over the "no-fly" zones affected some operational aspects of the mission. On 14 November 1998 the Combined Air Operations Centre of the coalition forces advised UNIKOM to suspend all flights in the mission area until further notice. The flights were resumed on 16 November after planned air strikes against Iraq were called off. Flights of UNIKOM fixed-wing aircraft in Iraq were suspended again in connection with United States/United Kingdom air attacks from 16 to 19 December. On 22 December, the Iraqi authorities informed UNIKOM that they could not guarantee the safety of flights, owing to the conflict with the United States and the United Kingdom regarding the "no-fly" zones. The flights of the fixed-wing aircraft have therefore remained suspended. For the same reason, helicopter flights in the demilitarized zone were suspended on 22 December; they were resumed on 7 January 1999 on the Kuwaiti side only. As a precaution, military observers from the United Kingdom and the United States were redeployed on 17 December from patrol and observation bases in Iraq to bases on the Kuwaiti side of the demilitarized zone.

3. On 4 January 1999, the Iraqi authorities requested UNIKOM to withdraw from Iraqi territory by 14 January all personnel of United States and United Kingdom nationality. In response, the United Nations informed the Iraqi authorities of the precautions already taken. As for United Kingdom and United States

nationals assigned to UNIKOM headquarters in Umm Qasr, the United Nations stated that it relied on the Iraqi authorities to take all necessary measures to ensure the security of the headquarters and the personnel in it.

4. The number of violations in the demilitarized zone increased from 67 during the previous reporting period to 122. Air violations almost doubled from 46 to 82, most of them by unidentified aircraft flying at high altitude. On five occasions, the aircraft were identified as being of a type used by the coalition forces (F-18 jet aircraft and Gazelle and Apache helicopters).

5. On 17 December 1998 and 25 January 1999, High Speed Anti-Radiation Missiles (HARM) impacted in the demilitarized zone. Debris from the first missile was discovered near a fuel storage facility about 12 kilometres north-west of Umm Qasr. Parts of the second missile were found on the Kuwaiti side of the demilitarized zone some 4.5 kilometres from UNIKOM headquarters.

6. There were 37 ground violations. Twelve were by Iraqi policemen and civilians using the only hard-surface road along the border, which meanders in and out of Kuwaiti and Iraqi territory. Three were by Iraqi men who were returned to Iraq. There were four instances of military personnel being in the demilitarized zone, two in Iraq and two in Kuwait. On four occasions a prohibited rifle was seen being carried by Iraqi personnel. Fourteen firings of small arms were heard: 11 in Iraq and 3 in Kuwait.

7. A maritime violation occurred on the Kuwaiti side of the demilitarized zone when an Iraqi dhow in the Khawr 'Abd Allah strayed into Kuwaiti waters and ran aground. It was towed off by two Iraqi boats.

8. UNIKOM received four official complaints, all from the Kuwaiti side. Two concerned ground violations and two concerned weapons violations. None could be verified because of the time lag between the alleged incident and receipt of the complaint.

9. One hundred and forty-one ships docked at the port in Umm Qasr under the "oil-for-food" programme. Their cargo consisted mainly of wheat, sugar, rice, black tea, powder detergent, soya beans, animal fodder and ghee.

10. Kuwait carried out some repair work on sections of the road which runs parallel to its electric fence. No new construction was undertaken on the fence, which still has a gap of several kilometres near the border with Saudi Arabia. Oil drilling activity at the Al Ratqah oil field on the Kuwaiti side of the demilitarized zone increased significantly. On the Iraqi side, oil drilling resumed in February after prolonged interruptions due to lack of spare parts.

11. UNIKOM provided security and logistic support for meetings of the Technical Subcommittee on Military and Civilian Missing Prisoners of War and Mortal Remains held on 21 October and 2 December 1998 in the demilitarized zone under the auspices of the International Committee of the Red Cross (ICRC). The thirty-seventh session of the Committee, which was scheduled for 4 January 1999, was cancelled owing to the Iraqi delegation's refusal to participate following the hostilities of December 1998. Other humanitarian activities of ICRC are ongoing, including mail exchanges across the border. ICRC representatives from

Kuwait and Iraq met at UNIKOM headquarters on 20 February 1999 to discuss arrangements for the repatriation of an Iraqi national from Kuwait. The repatriation took place on 21 February 1999 at the Abdaly crossing point south of Safwan. On 8 March, the mortal remains of an Iraqi solider were handed over at the same crossing point.

12. UNIKOM continued to maintain close and regular liaison with the authorities of both Iraq and Kuwait at various levels, including visits by the Force Commander to the two capitals and through the UNIKOM liaison offices in Baghdad and Kuwait City. Both the Kuwaiti and Iraqi Governments cooperated with the mission in the conduct of its operations.

III. ORGANIZATIONAL MATTERS

13. As of March 1999, the overall strength of UNIKOM was 1,311, consisting of the following components:

(a) A total of 194 military observers, from Argentina (4), Austria (6), Bangladesh (5), Canada (5), China (11), Denmark (6), Fiji (5), Finland (6), France (11), Ghana (6), Greece (4), Hungary (5), India (5), Indonesia (5), Ireland (5), Italy (5), Kenya (4), Malaysia (6), Nigeria (5), Pakistan (6), Poland (5), Romania (6), the Russian Federation (11), Senegal (5), Singapore (6), Sweden (5), Thailand (5), Turkey (7), the United Kingdom (11), the United States (11), Uruguay (5) and Venezuela (2);

(b) An infantry battalion of 775 from Bangladesh;

(c) An engineering unit of 50 from Argentina;

(d) A logistic unit of 34 from Argentina;

(e) A helicopter unit of 35 from Bangladesh;

(f) A medical unit of 14 from Germany;

(g) A total of 208 civilian staff, of whom 61 were recruited internationally.

Major General Esa Tarvainen (Finland) continued as Force Commander.

IV. FINANCIAL ASPECTS

14. The General Assembly, in its resolution 52/238 of 26 June 1998, appropriated $52,143,800 gross for the maintenance of UNIKOM for the period from 1 July 1998 to 30 June 1999, subject to review by the Security Council with regard to the question of termination or continuation of the Mission. Two thirds of the cost of the Mission, equivalent to $33.5 million, is to be funded through voluntary contributions from the Government of Kuwait. Assessments on Member States have been made for the period ending 30 April 1999. The Government of Kuwait has paid its voluntary contributions in full through

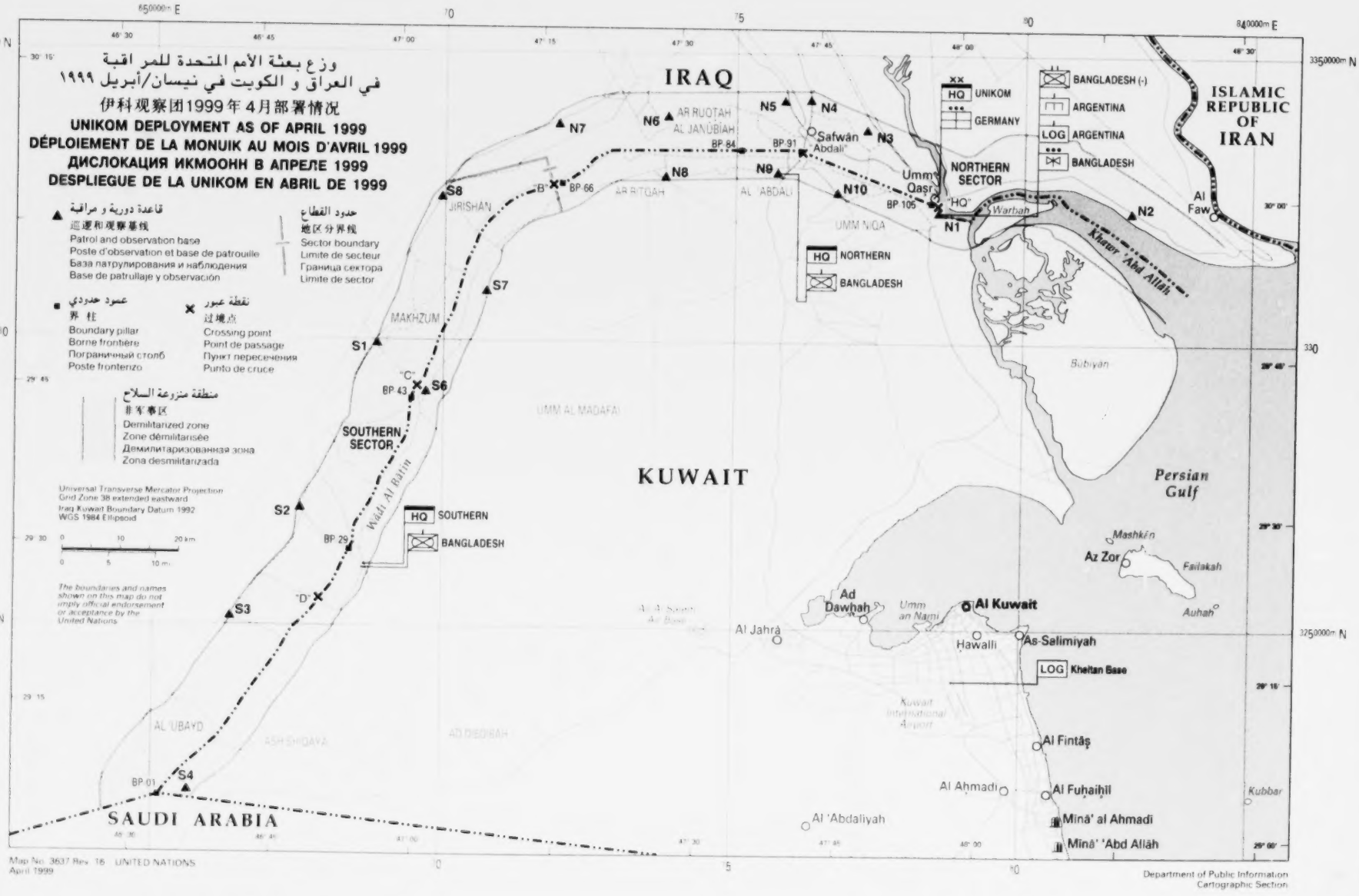
30 June 1998 and an additional amount of $5.7 million has been paid through 30 April 1999.

15. As at 28 February 1999, unpaid assessed contributions to the Special Account for UNIKOM since the inception of the Mission through 30 April 1999 amounted to $13.2 million, representing some 5 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.7 billion.

V. OBSERVATIONS

16. During the period under review, the situation along the border remained generally quiet. UNIKOM was not significantly affected by the air operations by the United Kingdom and the United States in the southern "no-fly" zone in Iraq, except for the suspension of its fixed-wing aircraft flights and the restriction of the helicopters to the Kuwaiti side of the demilitarized zone. UNIKOM continued to carry out its tasks, thereby contributing to the maintenance of calm and stability along the border. In this it continued to receive the cooperation of the Iraqi and Kuwaiti authorities. Consequently, I recommend that the Mission be maintained.

17. In conclusion, I wish to pay tribute to Major General Tarvainen and the men and women under his command for the manner in which they have discharged their responsibilities. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations.


وزع بعثة الأمم المتحدة للمراقبة
في العراق و الكويت في نيسان/أبريل ١٩٩٩
伊科观察团1999年4月部署情况
UNIKOM DEPLOYMENT AS OF APRIL 1999
DÉPLOIEMENT DE LA MONUIK AU MOIS D'AVRIL 1999
ДИСЛОКАЦИЯ ИКМООНН В АПРЕЛЕ 1999
DESPLIEGUE DE LA UNIKOM EN ABRIL DE 1999
قاعدة دورية و مراقبة
巡逻和观察基线
Patrol and observation base
Poste d'observation et base de patrouille
База патрулирования и наблюдения
Base de patrullaje y observación
عمود حدودي
界 柱
Boundary pillar
Borne frontière
Пограничный столб
Poste fronterizo
حدود القطاع
地区分界线
Sector boundary
Limite de secteur
Граница сектора
Limite de sector
نقطة عبور
过境点
Crossing point
Point de passage
Пункт пересечения
Punto de cruce
منطقة منزوعة السلاح
非军事区
Demilitarized zone
Zone démilitarisée
Демилитаризованная зона
Zona desmilitarizada
Universal Transverse Mercator Projection
Grid Zone 38 extended eastward
Iraq Kuwait Boundary Datum 1992
WGS 1984 Ellipsoid
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
IRAQ
KUWAIT
SAUDI ARABIA
ISLAMIC REPUBLIC OF IRAN
Persian Gulf
Khawr 'Abd Allāh
Wādī Al Batin
SOUTHERN SECTOR
NORTHERN SECTOR
HQ UNIKOM
GERMANY
BANGLADESH (-)
ARGENTINA
LOG ARGENTINA
BANGLADESH
HQ NORTHERN
BANGLADESH
HQ SOUTHERN
BANGLADESH
LOG Khetan Base
N1
N2
N3
N4
N5
N6
N7
N8
N9
N10
S1
S2
S3
S4
S6
S7
S8
BP 01
BP 29
BP 43
BP 66
BP 84
BP 91
BP 105
"B"
"C"
"D"
"HQ"
Safwān
Umm Qasr
Warbah
Al Faw
AR RUQAH
AL JANŪBIAH
JIRISHAN
AR RIQAH
AL 'ABDALI
UMM NIQA
MAKHZUM
UMM AL MADAFA
Subiyan
Mashkān
Az Zor
Failakah
Auhah
Ad Dawhah
Umm an Nami
Al Kuwait
Al Jahrā
Hawalli
As-Salimiyah
Kuwait International Airport
Al Fintās
Al Ahmadi
Al Fuhaihīl
Kubbar
Al 'Abdaliyah
Mīnā' al Ahmadī
Mīnā' 'Abd Allāh
AL 'UBAYD
ASH SHIQAYA
AD DIBDIBAH
Map No. 3637 Rev. 16 UNITED NATIONS
April 1999
Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/330*
30 March 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

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* Reissued for technical reasons.

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(c) An engineering unit of 50 from Argentina;

(d) A logistic unit of 34 from Argentina;

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V. OBSERVATIONS

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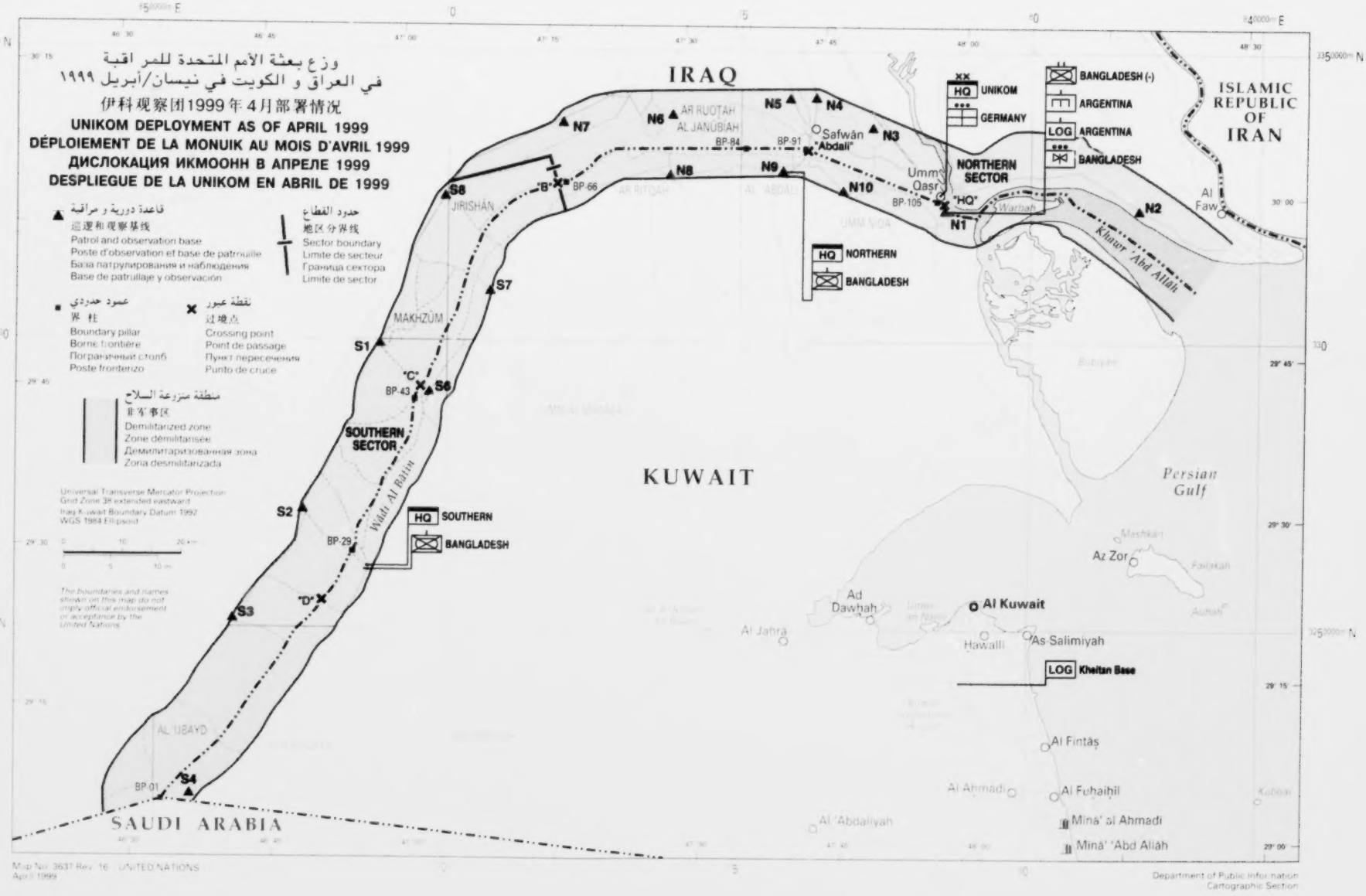

Map No. 3637 Rev. 16 UNITED NATIONS
April 1999

Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/331
25 March 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On the instructions of my Government, I have the honour to transmit herewith the text of a statement issued on 25 March 1999 by the Ministry of Foreign Affairs of Tajikistan (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative

99-08589 (E) 250399 250399

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Annex

[Original: Russian]

Statement issued on 25 March 1999 by the Ministry of Foreign Affairs of Tajikistan

Tajikistan's reaction to the missile and bomb strikes against Yugoslavia, which have caused civilian casualties, was one of great anxiety and concern.

We are deeply convinced that the escalation of the situation in the Balkans will result in tremendous political and moral damage to the cause of peace and the principles of democracy, and that it will destabilize the situation not only in Europe but throughout the world.

Tajikistan fully supports the Russian Federation's constructive position on the Yugoslav problem and, as a country that has experienced the horrors of a civil war, believes that the events in Kosovo will give rise to yet another hotbed of tension, jeopardizing the international community's efforts to implement international norms based on the principles of peaceful coexistence, non-use of force and non-interference in the internal affairs of sovereign States.

The Ministry of Foreign Affairs of Tajikistan, reaffirming the position of its Government, which has consistently supported the solution of conflict situations through exclusively peaceful means, calls upon all parties to the conflict to begin peace talks immediately in order to prevent further senseless killing and destruction.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/53/877
S/1999/332
25 March 1999
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Fifty-third session
Agenda item 64
MAINTENANCE OF INTERNATIONAL SECURITY - PREVENTION OF THE VIOLENT DISINTEGRATION OF STATES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 24 March 1999 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a statement issued on 24 March 1999 by the President of Belarus, Mr. A. G. Lukashenka, concerning the situation in Yugoslavia (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(Signed) Alyaksandr SYCHOV
Ambassador
Permanent Representative of
Belarus to the United Nations

99-08570 (E) 250399 250399

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Annex

Statement issued on 24 March 1999 by the President of Belarus concerning the situation in Yugoslavia

It was with great alarm that Belarus reacted to the decision of the leaders of the North Atlantic Treaty Organization (NATO) to use military force against Yugoslavia, a sovereign State. The North Atlantic Alliance's recourse to extreme and highly counterproductive measures to solve a crisis demonstrates its unwillingness to exhaust all existing means for a peaceful settlement of Yugoslavia's internal conflict; this can only be condemned by the international community.

Such disregard for the opinion of a number of States and the efforts undertaken by international organizations to resolve the Kosovo problem through non-violent means is a demonstration of utter contempt for universally recognized legal norms and jeopardizes the functioning of the entire system of international security.

Belarus wishes to state, once again, that the use of military force against Yugoslavia and the introduction of any foreign armed formations into the territory of Yugoslavia against the wishes of its Government is an open act of aggression that places on the aggressor the full weight of the consequences of such aggression.

Belarus fully supports the Russian Federation's position on the Kosovo problem. Only strict and unconditional adherence to the principles of the sovereignty and territorial integrity of Yugoslavia and the non-use of force can guarantee stable and lasting peace in the region.

Belarus calls for the immediate convening of an emergency meeting of the United Nations Security Council, and for international condemnation of the use of military force against a sovereign State.

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/53/878
S/1999/333
25 March 1999
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fifty-third session
Agenda items 40 and 155
THE SITUATION IN THE MIDDLE EAST
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 24 March 1999 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I refer to the letters dated 22 February and 16 March 1999 addressed to you by the Permanent Representative of Israel (A/53/840-S/1999/185 and A/54/74-S/1999/300), which were written in response to our letter of 18 February 1999 concerning Israel's expansion of the area it occupies in southern Lebanon by including in it the village of Arnoun as of 17 February (A/53/834-S/1999/172).

1. These two letters deliberately seek to ignore the prime fact in southern Lebanon that has been the cause of the violence and abuse directed against Lebanese residents there, namely the 21 years of Israeli occupation in flagrant violation of international law and the Charter of the United Nations as it concerns relations between States.

2. Israel has refused to implement resolution 425 (1978), in which the Security Council calls upon Israel to withdraw its occupying forces forthwith and unconditionally to the internationally recognized boundaries. Its leaders have repeatedly issued statements linking acceptance of the resolution with measures and conditions that are alien to its letter and spirit and that, once admitted, would alter its legal and political character. By its intransigence, Israel has caused the deaths of thousands of Lebanese civilians and enormous losses in terms of property damage without its occupation achieving the security sought for its own citizens. It is difficult, by any measure, to accept the Israeli scenario that peace and security should be established in the area before the Israeli occupation of Lebanese territory is ended.

3. The truth is obscured by the characterization, in both letters from the representative of Israel, of the Lebanese national resistance as terrorism. That resistance is sanctioned by international law and custom, to say nothing of

the fact that Israel and other countries recognized its legitimacy in connection with the understanding of April 1996.

4. The Lebanese resistance targets only the Israeli occupation inside Lebanese territory, and it responds to Israel's targeting of Lebanese civilians in its assaults.

5. The circulation of the two letters under agenda item 155, "Measures to eliminate international terrorism", gives the false impression that Lebanon is encouraging terrorism, whereas the Lebanese Government has frequently voiced its condemnation of terrorist acts. It has been joined in such condemnation by a large number of Governments, of both Arab and non-Arab countries, in the forefront of which has been that of the Syrian Arab Republic. The latter has, moreover, called for the convening of an international conference to define terrorism, to elaborate internationally acceptable criteria for differentiating between terrorism and national struggle for liberation from foreign occupation and to study the underlying causes of acts of violence that stem from the violation of basic human rights, misery, frustration, a sense of grievance and despair.

6. It is the State terrorism in which Israel has been engaging throughout its history against the peoples of Lebanon and other countries in the region under cover of conducting pre-emptive strikes that cannot be justified on any grounds whatever that has been repeatedly condemned by the United Nations and by regional and international conferences, and it has been demonstrated with the passage of time that this is not an effective way to establish international peace and security in the region.

I request you to have this letter circulated as a document of the General Assembly, under agenda items 40 and 155, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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General Assembly
Security Council

Distr.
GENERAL

A/53/879
S/1999/334
25 March 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 39, 40 and 84
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 25 March 1999 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

Yesterday, the Israeli representative to the United Nations made some comments to the media on the issue of General Assembly resolution 181 (II) of 29 November 1947, as well as on a statement previously made by President Arafat on the subject. The Israeli representative repeated what the Israeli Foreign Minister said a few days ago, namely that resolution 181 (II) was "null and void". These are pathetic statements involving illegal positions with far-reaching and serious consequences.

For the Palestinian side, and since the strategic decision to forge a peace on the basis of coexistence, resolution 181 (II) has become acceptable. The resolution provides the legal basis for the existence of both the Jewish and the Arab States in Mandated Palestine. According to the resolution, Jerusalem should become a corpus separatum, which the Palestinian side is willing to take into consideration and to reconcile with the Palestinian position that East Jerusalem is part of the Palestinian territory and the capital of the Palestinian State. The Palestinian side adheres to international legitimacy and respects General Assembly resolution 181 (II), as well as Security Council resolution 242 (1967), the implementation of which is the aim of the current Middle East peace process.

Israel must comply with United Nations resolutions. It has no power to unilaterally annul any of those resolutions, particularly such a historic

resolution as 181 (II). Israel's claim that the resolution is "null and void" is illegal, and it is also inadmissible given the history of the matter.

Prior to its admission to United Nations membership, Israel made clear pledges to the members of the United Nations that it would implement resolution 181 (II) and resolution 194 (III) of 1949, related inter alia to the rights of Palestine refugees. In actuality, resolution 273 (III) of 11 May 1949, admitting Israel to membership in the United Nations, recalled in its preamble both of those resolutions and took note of the declarations and explanations made by the representative of the Government of Israel before the Ad Hoc Political Committee with respect to the implementation of the said resolutions.

Furthermore, in the "Declaration of the State of Israel", it is clearly stated that Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of 29 November 1947. In fact, the declaration, at least in part, was made on "the strength of the resolution of the United Nations General Assembly".

Thus, while we are not sure whether or not the officials of the Israeli Foreign Ministry understand what they are stating and its implications, the international community should nevertheless take it seriously. Moreover, we believe that Israel must still explain to the international community the measures it took illegally to extend its laws and regulations to the territory it occupied in the war of 1948, beyond the territory allocated to the Jewish State in resolution 181 (II). Such a situation has not been accepted by the international community.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 39, 40 and 84, and of the Security Council.

(Signed) Nasser AL-KIDWA
Ambassador
Permanent Observer of
Palestine to the United Nations

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General Assembly
Security Council

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A/53/880
S/1999/335
25 March 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON THE
WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-fourth year

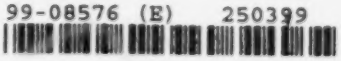
Letter dated 25 March 1999 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to forward to you herewith a statement issued by the Ministry of Foreign Affairs of Ukraine on 24 March 1999 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 10, "Report of the Secretary-General on the work of the Organization", and of the Security Council.

(Signed) Volodymyr YEL'CHENKO
Ambassador
Permanent Representative
of Ukraine to the United Nations

99-08576 (E) 250399



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Annex

Statement of the Ministry of Foreign Affairs of Ukraine of 24 March 1999

It is with deep inquietude and concern that Ukraine has perceived the news about NATO air strikes against the targets on the territory of the Federal Republic of Yugoslavia.

Adhering to the norms and principles enshrined in the Charter of the United Nations, Ukraine considers as inadmissible the use of military force against a sovereign State without authorization of the United Nations Security Council - the only body entrusted to take such decisions in order to maintain international peace and security.

At the same time, Belgrade's refusal to sign the agreements elaborated through the mediation of the Contact Group resulted in the breakdown of the negotiating process. Therefore, the provisions of Security Council resolutions 1160 (1998) and 1199 (1998) have not been fully implemented and that led to the use of force.

Ukraine urges the parties to the conflict, as well as the international community, to urgently exert additional efforts in order to stop the further escalation of the conflict. It is necessary to return as soon as possible to a peaceful political settlement on the basis of the preservation of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the granting of a wide autonomy to Kosovo.

Ukraine reaffirms its readiness to contribute to the efforts aimed at restoring peace and ensuring stability and respect for human rights, including the rights of national minorities on the territory of the Federal Republic of Yugoslavia.

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S/1999/336
25 March 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-fourth year

Letter dated 25 March 1999 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to forward to you herewith a statement of the Verkhovna Rada (Parliament) of Ukraine of 24 March 1999 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 10, "Report of the Secretary-General on the work of the Organization", and of the Security Council.

(Signed) Volodymyr YEL'CHENKO
Ambassador
Permanent Representative of Ukraine
to the United Nations

99-08582 (E) 250399

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ANNEX

Statement of the Verkhovna Rada (Parliament) of Ukraine of 24 March 1999 concerning aggressive acts by NATO against the Federal Republic of Yugoslavia

On 23 March 1999, the NATO leadership took a decision, without mandate from the United Nations Security Council, to carry out a military action against one of the Member States of the United Nations - the Federal Republic of Yugoslavia.

The Verkhovna Rada of Ukraine considers these acts by NATO as an aggression against a sovereign State, fraught with danger of escalation into a large-scale military conflict.

Having taken the above decision, NATO flagrantly violated not only the principles of the United Nations and universally recognized norms of human ethics, but also its own basic documents, in accordance with which military operations of the Alliance may be conducted with the exclusive aim of guaranteeing the security of its Member States.

Realizing the grave danger of these developments, the Verkhovna Rada of Ukraine:

Emphasizes that the Kosovo problem can and has to be settled through political process and negotiations on the basis of the universally recognized norms of international law;

Urges all parties to the conflict to take all the necessary measures to resume the peace process in order to find the mutually acceptable solution to the Kosovo problem;

Requests the leadership of NATO and the United States of America to abandon recourse to military force as a way to find a solution to the Kosovo problem, which is an internal affair of the Federal Republic of Yugoslavia;

Urges the international community to exert maximum efforts in order to stop NATO attempts to use force in the Balkans;

Appeals to the Parliaments and Governments of Europe to prevent the military actions of NATO in Yugoslavia and to achieve, through joint efforts, a peaceful solution of the Kosovo problem;

Urges the United Nations Security Council to urgently consider at its meeting the situation created by the decision of NATO concerning the Federal Republic of Yugoslavia.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/337
25 March 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am transmitting to you herewith the text of an editorial stating the policy of the United States Government that was broadcast by the Voice of America on the morning of 25 March 1999. Its purport is self-evident.

In bringing this text to your attention, we ask ourselves what the purpose was in broadcasting it now, after the relevant agreements were reached through the Secretary-General of the United Nations and with the mediation of the leaders of South Africa and the Kingdom of Saudi Arabia.

We also wonder to whom they might pay the reward that was announced once again today and whether the intention is to entice adventurers seeking the reward into abducting the two suspects while they are on their way to the Netherlands.

We hope to find that you and the Security Council will have an explanation of the rationale and purposes of the editorial containing this announcement and of the objective in broadcasting it at this particular moment.

We request you to have this letter and its annex circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative

Annex

Voice of America editorial stating United States Government policy, monitored in Tripoli, Libyan Arab Jamahiriya, on 25 March 1999

Ladies and gentlemen, here is a public service announcement:

On 21 December 1988 a passenger jet left Heathrow Airport bound for the United States. On board the plane, which belonged to the Pan Am company and was designated flight 103, were 259 passengers - men, women and children of 30 nationalities. They included Italians, Hungarians, Argentineans, Filipinos and Indians. Many of the passengers were Americans looking forward to meeting their loved ones for the holidays. Scarcely 35 minutes into the flight, they were all dead. On that day, after 7 p.m., a powerful bomb exploded and destroyed the plane as it was flying at 31,000 feet over the quiet Scottish village of Lockerbie. The passengers and crew died as they sat in their seats and the plane fell with them. This happened in less than three minutes. The 11 people on the ground, on the other hand, met their deaths as a result of the burning wreckage that fell on homes and commercial offices and in the streets.

The two who committed this savage act of international terrorism were agents of the Libyan dictator Muammar al-Qaddafi, and in November 1991 a Federal court issued arrest warrants for Abdel Basset Al-Megrahi (Abd al-Basit al-Maqrahi) and Lamen Khalifa Fhimah (Al-Amin Khalifah Fahimah).

Megrahi is a Libyan national born in Tripoli on 1 April 1952. He is 1 metre 73 centimetres tall and weighs 86 kilograms. His hair is black and curly; his eyes are dark brown; he is strongly built; and his complexion is light brown. He speaks Arabic and English, and he is to be considered armed and extremely dangerous.

Lamen Fhimah is a Libyan national born on 4 April 1956. He is 1 metre 73 centimetres tall and weighs 86 kilograms. His hair is dark brown; his eyes are dark brown; he is strongly built; his complexion is light brown; and he may have a light brown mustache. He speaks Arabic and English, and, like Megrahi, he is to be considered armed and dangerous.

The United States will pay a reward of 2 million dollars for any information leading to the arrest of these two suspects.

If listeners have any information relating to Abdel Basset Al-Megrahi and Lamen Khalifa Fhimah they should contact the nearest United States embassy or consulate or call telephone number 1-800-437-6371.

Information may also be sent over the Internet to the following address: www.heroes.net. "Heroes" is spelled h-e-r-o-e-s.

This has been a world public service announcement from the Voice of America.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/338
25 March 1999

ORIGINAL: ENGLISH

LETTER DATED 25 MARCH 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 23 March 1999, which I have received from the Secretary-General of the North Atlantic Treaty Organization (NATO). The enclosed report is submitted pursuant to requirements set by the Security Council in resolution 1203 (1998) of 24 October 1998, and in compliance with the Council's wish to be kept informed on the situation in Kosovo.

I should appreciate your bringing this communication from the Secretary-General of NATO to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-08620 (E) 250399

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Annex

Letter dated 23 March 1999 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

I am writing to provide you with a further report on compliance by the parties to the conflict in Kosovo with Security Council resolutions 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998 and by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) with commitments provided to NATO on 25 October 1998.

The situation has recently deteriorated significantly. The requirements of the United Nations for a ceasefire are being disregarded by both sides and President Milosevic is flouting last October's undertakings to NATO to reduce and redeploy his forces in Kosovo. Following the withdrawal of the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe (OSCE) on 20 March, the Federal Republic of Yugoslavia has increased its military activities and is using excessive and wholly disproportionate force, thereby creating a further humanitarian catastrophe. I am writing to you separately about the next steps in dealing with this deepening crisis but in the meantime I attach for your information and distribution as you deem appropriate a detailed update of significant trends and incidents since my last report to you, of 22 January 1999.

I am sending a copy of this letter to the Chairman-in-Office of OSCE.

(Signed) Javier SOLANA

Enclosure

North Atlantic Treaty Organization compliance report for Kosovo

16 January-22 March 1999

Table 1*

United Nations Security Council resolution 1199 (1998)

Resolution tenet		Related activity
1. Federal Republic of Yugoslavia and Albanian-Kosovar insurgents: cease hostilities and maintain ceasefire	16-23 Jan.:	MUP/VJ continue security operations in Decane and Stimlje areas.
		UCK fire on MUP investigative team in Racak.
	24-30 Jan.:	UCK attacks MUP element in vicinity of Bistrazin. One MUP policeman is wounded, two UCK are killed.
		UCK attacks a MUP police station near Rogovo; one MUP officer is killed. MUP respond in a security operation that leaves 24 Kosovo-Albanians dead.
		VJ respond with tank fire to UCK attempt to seize VJ bulldozer.
		UCK kills two MUP policemen in Gornji Streoc.
	31 Jan.-6 Feb.:	VJ/MUP shelling in Podujevo against civilian targets.
	7-14 Feb.:	VJ/MUP forces fire on the village of Lapastica, near Podujevo.
		UCK conducts harassing attacks against VJ positions near Dulje and Gornja Lapastica. No injuries reported.
	15-22 Feb.:	UCK opens fire on a MUP patrol in the vicinity of Lapusnik and attack a police station in Orahovac.
		VJ forces in the vicinity of Luzane open fire on targets in the direction of the village of Godisnjak. Targets include a mosque.
		VJ shell Studecane, causing thousands of civilians to leave the area for safety.

Resolution tenet		Related activity
	23 Feb.- 1 Mar.:	VJ/MUP forces deployed to the area around Bukos for live-fire "exercises" engaged UCK forces with automatic weapons and tank fire. MUP and Serbian civilians are trapped in a house in Bukos as UCK forces fired on them. Five MUP are injured in the siege. VJ forces reinforced with MUP and supported by two tanks and an unspecified quantity of mortars launch an attack against UCK positions near Vucitrn. Sporadic fighting continues in this area through 27 February. UCK and MUP clash in Randubava leaves two Kosovar Albanian civilians dead. UCK ambushes a MUP patrol in Krivovo leaving one MUP policeman dead and another seriously wounded. UCK ambush near village of Gajare, outside Kacanik, leaves one Serbian policeman killed and four wounded.
	2-8 Mar.:	Combined VJ/MUP security operations continue in the Federal Republic of Yugoslavia-former Yugoslav Republic of Macedonia border area for the entire week. Force activity is most notable in the Kacanik area, where villages inhabited by civilians are shelled. Serb force activity causes a large number of civilians to leave their homes. VJ live-fire "exercises" continue in the Bukos area. UCK retaliate with mortar attacks against some VJ positions. UCK attack a MUP convoy near Vrsevec (Vucitrn area). Eleven MUP are injured. UCK attack a MUP convoy along the Pristina-Pec highway. VJ forces fire on the village of Gjurica with at least 10 tanks. Combined VJ/MUP security operations targeted against known and suspected UCK strongholds begin in the Kovoska Mitrovica area. Combined VJ/MUP security operations begin in the Vucitrn and Malisevo-Orahovac areas. By the end of the week, these operations extend to the area south-west of Prizren. UCK attack a MUP patrol near Zur.
	9-16 Mar.:	Combined VJ/MUP sweep operations continue through the week near Vucitrn, Malisevo-Orahovac, Dus, the Cicavica Mountains and the Federal Republic of Yugoslavia-former Yugoslav Republic of Macedonia border.

Resolution tenet		Related activity
		UCK attack MUP patrol in Zur; MUP and UCK clashes follow.
		VJ employ artillery and tank fire against UCK positions near Streoce, Mijalic, Drvare and Osilane.
		UCK conduct attacks against Serb police stations and VJ convoys.
	17-22 Mar.:	VJ forces attacked UCK-held areas in the Shale and Llap UCK sub-zones, as well as UCK positions in the Podujevo areas.
		VJ units near the village of Glogovac fire on UCK fighters and their positions with artillery.
		Concurrent with the cessation of negotiations in Paris and the subsequent departure of OSCE/KVM from Kosovo, VJ and MUP intensify military operations in central and north-central Kosovo, supported by tanks and heavy artillery. In the course of this broadened operation, several Albanian villages are reported under heavy destructive fire and the inhabitants are fleeing.
2. Federal Republic of Yugoslavia: Take steps to improve humanitarian situation.		There are few examples of overt evidence that the federal government of the Federal Republic of Yugoslavia is actively participating in actions to improve the humanitarian situation.
3. Federal Republic of Yugoslavia and Albanian-Kosovars: Enter into dialogue, with international involvement, to end crisis.		On 19 March the Kosovar Albanians sign the Interim Peace Agreement. Federal Republic of Yugoslavia authorities refuse to do so.
4. Federal Republic of Yugoslavia: Cease all action by security forces affecting the civilian population and order the withdrawal of security units used for civilian repression.	31 Jan.-6 Feb.:	VJ forces harass inhabitants of the village of Djeneral Jankovic.
	7-14 Feb.:	MUP harass civilians attending funeral services for 9 of the 24 killed in Rogovo.
		MUP forces harass the inhabitants of Gusica.
		MUP forces forcibly occupy civilian homes in the village of Poniq.
		VJ operation in the Lapusnik area results in 50 villagers fleeing their homes.
	15-22 Feb.:	Thousands of civilians depart the Studecane area as a result of VJ/MUP shelling.
		Army reserve personnel are observed emplacing mines on a major bridge leading from the former Yugoslav Republic of Macedonia into Kosovo. KVM confirms the bridge is prepared for demolition.
		VJ emplaces obstacles along the south-west border between Kosovo and Albania.

Resolution tenet		Related activity
	23 Feb.- 1 Mar.:	VJ inflicts heavy shelling and tank fire on Pustenik.
		KVM reports approximately 2,000 civilians from the Pustenik area attempt to cross border into the former Yugoslav Republic of Macedonia but are prevented by border guards.
	2-14 Mar.:	Aggressive Serb attacks on villages suspected of harbouring UCK forces or command centres.
	17-22 Mar.:	The ongoing Serb security force sweep operations continue to drive civilians from their homes.
		Serb Security Forces revert to the previous practice of destroying homes and villages in UCK areas by direct weapons fire, deliberate burning or demolition.
5. Federal Republic of Yugoslavia: Enable effective and continuous international monitoring, by the European Community Monitoring Mission and diplomatic missions including access and complete freedom of movement.	1-20 Feb.:	VJ deny KVM access to villages of Zjum, Planeza, Kiselja Banja, Ponosevac, Donje Ljupce and Sukovac.
		MUP and VJ forces deny KVM patrol access to the Pristina airfield.
		MUP stop a KVM convoy as it tries to enter Prizren.
		Four OSCE vehicles are stopped by border police and denied entry into Kosovo from the former Yugoslav Republic of Macedonia.
		KVM patrol is denied access by the VJ to the five kilometre border security zone north-west of Kusnin.
		KVM patrol is stopped and held at gunpoint by VJ at Donja Kusce.
		Four VJ soldiers enter a KVM field office in Zur and instruct the verifiers to leave the office by the end of the day. KVM verifiers remain in place.
		A Serb demonstration comprised of at least 150 Serb civilians occurs at the KVM field office in Laposavic.
		VJ forces prohibit two KVM vehicles from following a convoy.
		KVM verifiers prohibited from departing Prizren at gun point. When verifiers attempt to follow a VJ convoy through Prizren, they are forced from their vehicle at gun point and personally searched.

Resolution tenet		Related activity
		Two KVM members are stopped by VJ forces south of Gniljane. The verifiers are forced out of their vehicles and ordered to surrender their maps. A VJ liaison officer arrives on the scene and the verifiers are released.
	23 Feb.-1 Mar.:	KVM patrol is prevented from patrolling around Firza by VJ.
		On 25 Feb. eight OSCE vehicles and 21 KVM employees are forcibly detained by customs officials of the Federal Republic of Yugoslavia at Djeneral Jankovic border crossing. Contingent allowed to proceed to Pristina late on 26 February after vehicles are forcibly searched.
	2-8 Mar.:	Federal Republic of Yugoslavia authorities continue to interfere with KVM attempts to cross the border at the Djeneral Jankovic crossing site on the former Yugoslav Republic of Macedonia border. Federal Republic of Yugoslavia interference also occurs at the border crossing south of Gnjilane. Federal Republic of Yugoslavia turns back KVM verifiers because they refused to submit to vehicle searches. Other KVM verifiers agree to searches in order to be allowed into or out of Kosovo.
	9-16 Mar.:	In addition to increased incidents of restricted freedom of movement, OSCE and NGO personnel are threatened and in some cases assaulted by official personnel of the Federal Republic of Yugoslavia and by civilian antagonists. The trend of harassment coincides with increased VJ and MUP security operations.
	17-22 Mar.:	[KVM withdraws on 20 March.]
6. Federal Republic of Yugoslavia: Facilitate with UNHCR and ICRC safe return of refugees and internally displaced persons to their homes		There is no overt example of Federal Republic of Yugoslavia cooperation with UNHCR to assist in the safe return of refugees and internally displaced persons.
7. Federal Republic of Yugoslavia and Kosovar Albanians: Clear a timetable aimed confidence-building measures and political solutions.		Nothing to report.
8. Federal Republic of Yugoslavia: Cooperate with the International Tribunal for the Former Yugoslavia for possible violations.		The Federal Republic of Yugoslavia continues to deny the International Tribunal for the Former Yugoslavia access to its territory.

Resolution tenet	Related activity
9. Federal Republic of Yugoslavia: Bring to justice security force members involved in mistreatment of civilians and the deliberate destruction of property.	There is no indication that the Government of the Federal Republic of Yugoslavia has assisted in this effort.
10. Kosovo Albanian leadership: Condemn all terrorist activity.	There has been no public declaration by either political or military leadership to denounce alleged UCK acts of terrorism in the reporting period.

* KVM = Kosovo Verification Mission;

MUP = Special Police;

UCK = Kosovo Liberation Army;

VJ = Yugoslav Army.

Table 2*

Modalities for Kosovo Federal Republic of Yugoslavia security force reductions and operations agreed by the North Atlantic Treaty Organization and the Federal Republic of Yugoslavia on 25 October 1998

	Modality	Actions by the Federal Republic of Yugoslavia
1.	Special Police units deployed to Kosovo after February 1998 will be withdrawn from Kosovo. Combined police/special police strength in Kosovo will be reduced to their February 1998 duty level.	MUP force numbers in Kosovo are now assessed to be approximately 2,500 to 3,500 personnel above the agreed limit of 10,021.
2.	Any additional (that is, brought in or transferred after February 1998) heavy weapons (12.7 mm and above) or equipment brought into Kosovo or transferred from the VJ to the police/special police will be withdrawn from Kosovo or returned to the VJ.	MUP possesses and continues to employ heavy weaponry in Kosovo.
3.	Police/special police will resume their normal peacetime activities. Heavy weapons and equipment remaining under MUP control in Kosovo will be returned to cantonments and police stations.	Excessive traffic patrolling, fortification of observation posts and unauthorized checkpoints continue. MUP continue to conduct road security patrols in their areas of control and to operate unauthorized checkpoints with no regard to the prohibition to do so.
4.	All VJ units and additional equipment brought into Kosovo after February 1998 will be withdrawn from Kosovo.	VJ forces in Kosovo have been reinforced and now number about 3,500-5,000 personnel above the authorized strength of approximately 11,300.
5.	Except for those VJ currently augmenting border guards, all VJ elements remaining in Kosovo will return to garrison except for three company-sized teams which will remain deployed, each to protect the lines of communications.	Estimates now indicate that 5,000-5,500 Pristina 52nd Corps personnel are deployed out of garrison in Kosovo. These forces remain concentrated in the north near Podujevo, near Vucitrn and Orahovac in central Kosovo and near Kacanik in the southern border region. As of 16 March, VJ tanks from units in Serbia and Montenegro have been transported into Kosovo, via rail, possibly to reinforce battle groups in Kosovska Mitrovica and Podujevo.
6.	VJ border guards will remain in position along the international border of the Federal Republic of Yugoslavia and conduct ongoing border security operations.	9-16 Mar. VJ forces augment border guard battalions. The amount of equipment and personnel deployed into the border area near Kacanik probably amounts to two company-sized elements.
7.	The withdrawals and deployments described above will be completed by 1200 hours, 27 October 1998, except for the three company-sized teams in paragraph 5 above.	See entry 5 above.

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Modality	Actions by the Federal Republic of Yugoslavia
8. In order to ensure verification of these provisions, VJ and MUP commanders will provide to the Kosovo Diplomatic Observer Mission/OSCE detailed weekly reports of manning, weapons, and activities of their forces, and will provide immediate notification to the Kosovo Diplomatic Observer Mission/OSCE of any deployment contrary to these provisions and will explain the circumstances regarding such deployments.	Reporting has been inaccurate and misleading. VJ and MUP units have failed to account for equipment and personnel numbers and activities. VJ officials fail to notify OSCE of intention to conduct military training in Kosovo. This information was only offered in explanation after VJ forces were observed conducting activities claimed to be live-fire exercises in the vicinity of occupied villages.
9. All checkpoints will be dismantled.	MUP continue to maintain and build unauthorized checkpoints throughout Kosovo.
10. In case of incidents of increased tension, the police will have the right upon notifying the Kosovo Diplomatic Observer Mission/OSCE, to perform patrol duties in armoured vehicles.	See entry 8 above. Notification is usually not timely and does not seek permission or approval, but is relayed as a declaration of actions already committed.
11. The police will withdraw its stationary forces from: Dragobilje, Oztrozub, Opterusa, Dobrodeljane, Studencani, Samordraza, Decane and Klecka. Police forces may remain in Malisevo, Orahovac, Zociste, Restane, Suva Reka and Dulje. The police will use the road Orahovac-Suva Reka-Dulje-Malisevo. The police will not move along the Malisevo-Orahovac road beginning on 25 Oct. -- this road must fully open for free traffic flow.	Continued reports of heavy MUP presence in and around Podujevo, Stimlje, Racak, Decane and Malisevo persist. Malisevo is an approved police location, but Albanians complain MUP presence there is menacing and that it has inhibited the return of some internally displaced persons.

* KVM = Kosovo Verification Mission;

MUP = Special Police;

UCK = Kosovo Liberation Army;

VJ = Yugoslav Army.

Table 3*

United Nations Security Council resolution 1203 (1998)

Resolution tenet	Related activity
1. Federal Republic of Yugoslavia: Cooperate fully with the OSCE Verification Mission and Air Verification Mission.	On 18 March, KVM observers sight an air defence radar at Prizren airfield normally associated with surface to air missiles. This represents a violation of the air verification agreement.
2. Federal Republic of Yugoslavia: Comply immediately with Security Council resolutions 1160 (1998) and 1199 (1998).	Currently, Federal Republic of Yugoslavia security forces are not fully in compliance with resolutions 1160 (1998) and 1199 (1998).
3. Federal Republic of Yugoslavia and Kosovar Albanians: Enter immediately into meaningful dialogue without preconditions and with international involvement ... leading to an end to the crisis.	On 19 March, the Kosovar Albanian Delegation signs the Interim Peace Agreement. Federal Republic of Yugoslavia authorities refuse to do so.
4. Federal Republic of Yugoslavia and Kosovar Albanians: Respect freedom of movement of OSCE Verification Mission and other international personnel.	Both KVM and UNHCR report increased movement control by both Federal Republic of Yugoslavia and UCK forces. The overwhelming majority are committed by VJ forces - in some instances at gunpoint.
5. Federal Republic of Yugoslavia: Ensure the safety and security of all diplomatic personnel to include OSCE Verification Mission, all international and NGO humanitarian personnel.	Against the background of Federal Republic of Yugoslavia refusal to negotiate an interim peace agreement, and an increasingly hostile environment on the ground in Kosovo, the OSCE withdraws its verification mission on 20 March.
6. Federal Republic of Yugoslavia and Kosovar Albanians: Ensure personnel (see entry 5 above) are not subject to the threat or use of force or interference of any kind.	See entry 5 above.
7. Federal Republic of Yugoslavia and Kosovar Albanians: Cooperate with international efforts to improve the humanitarian situation and avert pending humanitarian crisis.	Nothing to report.
8. Federal Republic of Yugoslavia: Create the conditions that allow internally displaced persons to return home.	The overall security environment for civilians remained unchanged. The ongoing Federal Republic of Yugoslavia security force sweep operations continue to drive civilians from their homes. Federal Republic of Yugoslavia security forces revert to their previous practice of destroying homes and villages in UCK areas by direct weapons fire, deliberate burning or demolition.

Resolution tenet	Related activity
	Approximately 100,000 internally displaced persons have been generated since fighting between Serb security forces and UCK began in late December 1998. Many of these individuals, however, have returned to find their homes destroyed and are most likely residing with neighbours, friends or relatives. Given the level of Serb security force operations over the last week, the rate of displacement has increased sharply. As many as 20,000 internally displaced persons may have been generated by VJ/MUP operations against the UCK between 15 and 19 March. Fighting on 20 March reportedly generated 4,000 internally displaced persons in the Podujevo region and another 5,000-10,000 in the Srbica-Glogovac region.
9 Federal Republic of Yugoslavia: Conduct prompt and complete investigations of all atrocities committed against civilians through the Hague-based United Nations International Tribunal on the Former Yugoslavia.	Nothing to report.

* KVM = Kosovo Verification Mission;

MUP = Special Police;

UCK = Kosovo Liberation Army;

VJ = Yugoslav Army

UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/339
26 March 1999

ORIGINAL: ENGLISH

LETTER DATED 18 MARCH 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In view of the enormity of the genocide that occurred in Rwanda in 1994, questions continue to surround the actions of the United Nations immediately before and during the period of the crisis. It is therefore my intention to set up an independent inquiry into the actions which the United Nations took at that time.

The primary purpose of the independent inquiry would be to establish the facts and to draw conclusions as to the response of the Organization to the tragedy. The investigators would be expected to interview any person having knowledge of the events in question, and would enjoy full access to United Nations records, including internal documents and cables. I would establish a time limit for their work, and issue the report on the inquiry as a United Nations document. The inquiry will be financed from existing resources.

Before proceeding, I would be grateful for confirmation that the Security Council supports this important undertaking. I would therefore appreciate it if you could bring the present letter to the attention of members of the Council.

(Signed) Kofi A. ANNAN

99-08686 (E) 260399

UNITED
NATIONS

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Security Council

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GENERAL

S/1999/340
26 March 1999

ORIGINAL: ENGLISH

LETTER DATED 26 MARCH 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 18 March 1999 (S/1999/339) concerning your intention to set up an independent inquiry into the actions which the United Nations took before and during the period of the crisis that occurred in Rwanda in 1994 has been brought to the attention of the members of the Council. Members of the Council support your proposed course of action in this unique circumstance.

(Signed) QIN Huasun
President of the Security Council

99-08692 (E) 260399

UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/341
26 March 1999

ORIGINAL: ENGLISH

LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have just now confirmed that three military aircraft (MIG 29s) of the Federal Republic of Yugoslavia (Serbia and Montenegro) crossed into the sovereign airspace of Bosnia and Herzegovina with the intention of committing military strikes against our country. Two of these violating aircraft were shot down.

We are requesting an emergency meeting of the Security Council to address this aggression against my country.

Most notably, this aggression was occurring while we were all meeting in the Security Council regarding a draft resolution that intended to condemn "NATO's use of force" against the Federal Republic of Yugoslavia (Serbia and Montenegro).

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

99-08731 (E) 260399

UNITED NATIONS **S**

Security Council

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S/1999/342
26 March 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 25 March 1999 by the European Council concerning Kosovo (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of
Germany to the United Nations

99-08795 (E) 260399 260399

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Annex

[Original: English/French]

Statement issued on 25 March 1999 by the European Council concerning Kosovo

The European Council is deeply concerned about the failure of the mediation efforts undertaken by Ambassador Holbrooke and the three Rambouillet process negotiators, Ambassadors Hill, Majorski and Petritsch with the President of the Federal Republic of Yugoslavia, Slobodan Milosevic. The common objective of these efforts was to persuade the Federal Republic of Yugoslavia to accept a ceasefire in the Kosovo and a political solution to the Kosovo conflict in order to stop a humanitarian catastrophe in Kosovo.

Over one quarter of a million Kosovars are now homeless because of the repression carried out by Belgrade's security forces. Sixty-five thousand have been driven from their homes in the last month, 25,000 since the peace talks broke down in Paris last Friday. While the Kosovo Albanians signed the Rambouillet Accords, Belgrade's forces poured into Kosovo to start a new offensive. Since the outbreak of hostilities in Kosovo in March 1998, around 440,000 people, more than one fifth of the population of Kosovo, have fled or been displaced. There are new victims every day. The civilian population is the target of the hostilities.

The international community has done its utmost to find a peaceful solution to the Kosovo conflict. In Rambouillet, and most recently in Paris, intensive efforts have been made after months of preparations to negotiate an agreement for the self-government of Kosovo which is fair for both parties to the conflict and which would ensure a peaceful future for Kosovo Serbs as well as Kosovo Albanians and all other national communities. The draft agreement, which was signed by the Kosovo Albanians in Paris, meets these requirements: on the basis of the sovereignty and territorial integrity of Yugoslavia, it assures Kosovo a high degree of self-government, guarantees the individual human rights of all citizens in Kosovo according to the highest European standards, envisages extensive rights for all national communities living in Kosovo and creates the basis for the necessary reconstruction of the war-torn region.

The Yugoslav leadership under President Milosevic has persistently refused to engage seriously in the search for a political solution. It has presented the Yugoslav people with a distorted picture of the issues and course of the negotiations. In addition, the Serb police and Yugoslav Federal Armed Forces have, in the last few weeks, massively reinforced their presence in Kosovo, thereby further exceeding the ceilings set out in the Holbrooke-Milosevic agreement of 12 October 1998. Finally, the Yugoslav security forces are conducting military operations against the civilian population in Kosovo in contravention of the provisions of United Nations Security Council resolution 1199 (1998).

On the threshold of the twenty-first century, Europe cannot tolerate a humanitarian catastrophe in its midst. It cannot be permitted that, in the

middle of Europe, the predominant population of Kosovo is collectively deprived of its rights and subjected to grave human rights abuses. We, the countries of the European Union, are under a moral obligation to ensure that indiscriminate behaviour and violence, which became tangible in the massacre at Racak in January 1999, are not repeated. We have a duty to ensure the return to their homes of the hundreds of thousands of refugees and displaced persons. Aggression must not be rewarded. An aggressor must know that he will have to pay a high price. That is the lesson to be learnt from the twentieth century.

Nor will the international community tolerate crimes against humanity. Those now persisting with the conflict in Kosovo should not forget that the mandate of The Hague Tribunal covers Kosovo. They and their leaders will be held personally accountable for their actions.

In the final analysis, we are responsible for securing peace and cooperation in the region. This is the way to guarantee our fundamental European values, i.e. respect for human rights and the rights of minorities, international law, democratic institutions and the inviolability of borders.

Our policy is neither directed against the Yugoslav or Serb population nor against the Federal Republic of Yugoslavia or the Republic of Serbia. It is directed against the irresponsible Yugoslav leadership under President Milosevic. It is directed against security forces cynically and brutally fighting a part of their own population. We want to put an end to these outrages. President Milosevic must stop Serb aggression in Kosovo and sign the Rambouillet Accords, which include a NATO-led implementation force to provide stability.

We urge the Yugoslav leadership under President Milosevic to summon up the courage at this juncture to change radically its own policy. It is not yet too late to stop the internal repression and to accept the international community's mediation efforts. The international community's only objective is to find a political future for the Kosovo, on the basis of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, which does justice to the concerns and aspirations of all the people in the Kosovo.

The Kosovo Albanians showed their commitment to a peaceful solution by signing the Rambouillet Accords. It is vital that they now show maximum restraint.

We underline that it is not our aim to keep the Federal Republic of Yugoslavia in its self-imposed isolation in Europe and the world. On the contrary, we would like to end the isolation of the Federal Republic of Yugoslavia in Europe. But for this to happen, Milosevic must choose the path of peace in Kosovo and the path of reform and democratization, including freedom of the media in the whole of Yugoslavia.

The European Council in its declaration earlier today set out the efforts which the international community had made to avoid the need for military intervention. We urged the Yugoslav leadership under President Milosevic to summon up the courage at this juncture to change radically its own policy. Now the North Atlantic Alliance is taking action against military targets in the

Federal Republic of Yugoslavia in order to put an end to the humanitarian catastrophe in Kosovo.

The Federal Republic of Yugoslavia is now facing the severest consequences, about which it was repeatedly warned, of its failure to work with the international community for a peaceful settlement of the Kosovo crisis. President Milosevic must now take full responsibility for what is happening. It is up to him to stop the military action by immediately stopping his aggression in Kosovo and by accepting the Rambouillet Accords.

UNITED
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Security Council

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26 March 1999
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As a representative of the State chairing the statutory bodies of the Commonwealth of Independent States, I have the honour to transmit herewith the text of a joint statement issued on 25 March 1999 by the Ministers of Defence of the States members of the Commonwealth of Independent States (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) S. LAVROV

99-08737 (E) 260399 260399

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Annex

Joint statement issued on 25 March 1999 by the Ministers of Defence of the States members of the Commonwealth of Independent States

The decision by the North Atlantic Treaty Organization (NATO) to use force against a sovereign State - the Federal Republic of Yugoslavia - which was taken without the participation of the United Nations Security Council, is contrary to the norms of international law, establishes a precedent for disregarding the Security Council as the supreme body bearing primary responsibility for the maintenance of peace and international security, and also undermines all efforts to achieve a peaceful settlement of the conflict in the region.

The North Atlantic Alliance's commencement of military action in Kosovo destroys the foundations of the international legal order and jeopardizes the very existence of an international organization called the "United Nations".

NATO has utter disregard for the disastrous consequences of its armed intervention in Kosovo both for European security and world politics in general.

The Council of Ministers of Defence of the States members of the Commonwealth of Independent States condemns NATO's inhuman missile and bomb attacks against Yugoslavia, and believes that recourse to the use of force to solve complex inter-ethnic problems in circumvention of the Security Council poses a universal threat to peace and security.

We are convinced that, even now, it is not too late to halt NATO's military machine and resume efforts to find a civilized solution to the Kosovo problem through political means and in conformity with international law. This calls for political will on the part of the international community.

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ORIGINAL: RUSSIAN

LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the following.

The ban on flights by civil aviation in the airspace above Yugoslavia, Bosnia and Herzegovina, Macedonia and Croatia, which has been declared by the North Atlantic Treaty Organization (NATO), is a gross violation of the principle of a State's exclusive sovereignty over the airspace above its territory, as set forth in article 1 of the Chicago Convention on International Civil Aviation.

This ban is nothing less than an illegal act of interference in the activities of civil aviation and a violation of the principles of ensuring the safety of international civil aviation and the freedom of movement of aircraft; these are basic principles of modern civil aviation law. The ban affects the rights not only of the States to which the airspace belongs but also all countries that use that airspace for their international flights.

In point of fact, this ban constitutes a blockade of airspace, a measure which, under Article 41 of the Charter of the United Nations, falls within the exclusive competence of the Security Council.

Such measures call for the active intervention of the International Civil Aviation Organization (ICAO), which is responsible for States' scrupulous fulfilment of their obligations under international civil aviation law.

The Russian Federation has contacted the Secretary-General of ICAO and is confident that he will take all the necessary measures to put an end to these illegal acts and restore the freedom of civil aviation over the territories of the aforementioned countries.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) S. LAVROV

99-08743 (E) 260399 260399